

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

GENE BEASLEY,)	
)	
Petitioner,)	
)	CIVIL ACTION NO.
v.)	2:04cv1041-MHT
)	(WO)
GWENDLYN MOSLEY, Warden,)	
et al.,)	
)	
Respondents.)	

ORDER

This cause is now before the court on petitioner's motion for certificate of appealability (doc. no. 37).

To obtain a certificate of appealability the prisoner must make a "substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). The court finds that the petitioner has failed to make this showing.

Accordingly, it is ORDERED that petitioner's motion for a certificate of appealability is denied.

DONE, this the 21st day of December, 2006.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE